

Applicant: Murgesh Navar  
Serial No.: 09/927,665  
Filing Date: August 6, 2001  
Docket No.: VER-001

### REMARKS

Applicant and the undersigned thank Examiners Hai Tran and Son Huynh for their time extended to Applicant in the telephonic interviews of March 6, 2006. In response to the Examiners' comments and suggestions, Applicant submits the present Proposed Amendment and authorizes the Examiners to enter the changes by Examiner's Amendment if doing so would place the present application in condition for allowance.

Applicants originally had and paid for 22 claims. The Examiners requested that several claims be canceled. The undersigned has therefore added claims to bring the number of claims back up to twenty-two claims that Applicant originally paid for.

Claim 2 is canceled due to the phrase "but no coaxial cable". The Examiners mention that there is no illustration of this aspect in the figures. The undersigned does not agree and maintains that there is nothing wrong with Claim 2, but in order to expedite prosecution an agreement was reached between the undersigned and the Examiners that Claim 2 would be canceled provided that a statement is put into the record here that the original scope of independent Claim 1 from which dependent Claim 2 depended will not be affected by the cancellation of dependent Claim 2 and that independent Claim 1 still encompasses the subject matter specifically recited by Claim 2 despite the fact that Claim 2 will be canceled.

Examiner Hai Tran indicated that he thought Claim 22 was directed to non-statutory subject matter under section 101. The undersigned respectfully disagreed. Rather than arguing about section 101, the state of Federal Circuit law, and whether Claim 22 recites statutory subject matter, it was agreed that Claim 22 would be amended to recite that the first and second pieces of the digital video file are stored in a "computer-readable medium". The sanctioned "computer-readable medium" terminology is used so that the statutory nature of the recited method will be indisputable. The term "video" was added to Claim 22

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so that the claim now recites a "digital video file" rather than just a "digital file" in accordance with Examiner Huynh's request. Step (f) is added in accordance with Examiner Tran's request. Claim 22 does not, however, require that the first, second and third storage devices are set-top boxes. This is intentional.

In Claim 23, support for the "central controller" is found in original Claim 21 which is now canceled. In the telephonic interview, the undersigned indicated to Examiner Tran that this dependent claim would be added. Because it is a dependent claim, it is by definition of narrower scope than is Claim 22 from which it depends.

In Claim 24, support for the "cable IP network" term can be found in the specification and in original Claim 18 which is now canceled. In Claim 26, support for the "central controller" term is found in the specification and in original Claim 21 which is now canceled. In Claim 27, support for the "wireless device" term is found in the specification and in original Claim 20 which is now canceled. The subject matter of all the original claims is part of the subject matter of the application.

Independent Claim 28 is added because the amendments proposed by the Examiners would result in the cancellation of one of Applicant's independent claims. Independent Claim 28 is added to replace that claim. Claim 28 is similar in some respects to Claim 1. Claim 28, however, recites that the file is a "multimedia file". For support, see the specification, including the title of the application and the abstract. Support for the "storage area network" recitation in Claim 29 is found in the specification and in original Claim 23 which is now canceled.

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The Proposed Amendment puts Claims 1, 4-10, 12-17, 22-29 in condition for allowance. Claims 2, 3, 11 and 18-21 would be canceled without prejudice. Applicant would reserve the right to pursue the subject matter of the canceled claims in a continuation application. The Examiners (Tran and Huynh) are hereby authorized to make the amendments set forth in this Proposed Amendment by an Examiner's Amendment if doing so would put the application in condition for allowance.

If the Examiner would like to discuss any aspect of this application, the Examiner is requested to contact the undersigned at (925) 621-2115.

I hereby certify that this correspondence is being  
facsimile transmitted to the Patent Office (Fax. No. 571-  
273-8300), on March 8, 2006:

By Lester Wallace  
T. Lester Wallace

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Respectfully submitted,

Lester Wallace

T. Lester Wallace  
Attorney for Applicant  
Reg. No. 34,748  
Customer Number 24,941

Silicon Edge Law Group LLP  
6601 Koll Center Parkway  
Suite 245  
Pleasanton, CA 94566  
(925) 621-2115